

FORM PTO 1390 (REV 5-93)		US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NUMBER 2004_1173A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371			U.S. APPLICATION NO. (if known, 37 CFR 1.53) NEW <b>10/502395</b>
International Application No. PCT/NO03/00048	International Filing Date February 7, 2003	Priority Date Claimed February 8, 2002	
Title of Invention METHOD OF DETERMINING A HEAT TREATMENT AND MEMBER SO TREATED			
Applicant(s) For DO/EO/US Børge BJØRNEKLETT; Ole Runar MYHR; and Tor Arne STJERN			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. §371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. §371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed [in English] (35 U.S.C. §371(c)(2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith. <b>ATTACHMENT A</b></li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. §371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19.</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).</li> </ol>			
Items 11. to 14. below concern other document(s) or information included:			
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <b>ATTACHMENT B</b>			
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <b>ATTACHMENT C</b>			
<input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.			
14. <input checked="" type="checkbox"/> Other items or information:			
<ul style="list-style-type: none"> <li>• <u>Unexecuted</u> Declaration and Power of Attorney along with cover letter <b>ATTACHMENT D</b></li> <li>• International Preliminary Examination Report <b>ATTACHMENT E</b></li> <li>• PCT/IB/304 <b>ATTACHMENT F</b></li> </ul>			

U.S. APPLICATION NO. <b>10/502395</b> NEW		INTERNATIONAL APPLICATION NO. PCT/NO03/00048		ATTORNEY'S DOCKET NO. 2004_1173A					
15. [X] The following fees are submitted  <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee nor international search fee paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1080.00 International Search Report has been prepared by the EPO or JPO ..... \$ 920.00 International preliminary examination fee not paid to USPTO but international search paid to USPTO..... \$ 770.00 International preliminary examination fee paid to USPTO but claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$ 690.00 International preliminary examination fee paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). ..... \$ 100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">CALCULATIONS</th> <th style="width:50%;">PTO USE ONLY</th> </tr> <tr> <td style="height: 100px;"></td> <td></td> </tr> </table>		CALCULATIONS	PTO USE ONLY		
CALCULATIONS	PTO USE ONLY								
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$					
Claims	Number Filed	Number Extra	Rate						
Total Claims	42 -20 =	22	X \$18.00	\$396.00					
Independent Claims	2 - 3 =	--0--	X \$86.00	\$					
Multiple dependent claim(s) (if applicable)			+ \$290.00	\$					
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,476.00					
<input type="checkbox"/> Small Entity Status is hereby asserted. Above fees are reduced by 1/2.				\$					
<b>SUBTOTAL =</b>				\$1,476.00					
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$					
<b>TOTAL NATIONAL FEE =</b>				\$1,476.00					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$					
<b>TOTAL FEES ENCLOSED =</b>				\$1,476.00					
				Amount to be refunded	\$				
				Amount to be charged	\$				
a. [X] A check in the amount of <u>\$1,476.00</u> to cover the above fees is enclosed. A duplicate copy of this form is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 23-0975 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0975.									
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))          must be filed and granted to restore the application to pending status.</b>									
19. CORRESPONDENCE ADDRESS          <div style="text-align: center;">           CUSTOMER NO.  <b>000513</b> </div>			By: <u>Michael S. Huppert</u> Michael S. Huppert, Registration No. 40,268  WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone: (202) 721-8200 Fax: (202) 721-8250  <div style="text-align: right;">July 26, 2004</div>						

[CHECK NO. 63137]

[2004\_1173A]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Borge BJØRNEKLETT et al. : **Mail Stop: PCT**  
Serial No. NEW : Attorney Docket No. 2004\_1173A  
Filed July 26, 2004 :  
METHOD OF DETERMINING A HEAT TREATMENT AND MEMBER SO TREATED  
[Corresponding to PCT/NO03/00048  
Filed February 7, 2003] THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

**COVER LETTER FOR APPLICATION FILED  
WITHOUT EXECUTED DECLARATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-identified application has been submitted without an executed oath or declaration.

It is respectfully requested that this application be assigned a serial number and awarded a filing date.

A duly executed oath or declaration pursuant to 37 CFR 1.63 will be submitted after notification by the U.S. Patent and Trademark Office.

A non-executed copy of the Declaration and Power of Attorney, containing the inventorship information, is attached. It is respectfully requested that all communications be directed to the firm indicated on the attached Declaration and Power of Attorney, namely:

WENDEROTH, LIND & PONACK, L.L.P.  
2033 K Street, N.W., Suite 800  
Washington, D.C. 20006-1021

ATTACHMENT "D" }

The required U.S. Patent and Trademark Office Filing Fee is submitted herewith.

Respectfully submitted,

Borge BJØRNEKLETT et al.

By 

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Registration No. 40,268  
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July 26, 2004